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Security Council

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Report of the Secretary-General on the situation concerning Western Sahara

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1394 (2002) of 27 February 2002, by which the Council extended the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 30 April 2002 and requested me to provide a report on the situation before the end of the present mandate. Reaffirming its previous resolutions on the question of Western Sahara and its commitment to assist the parties to achieve a just, lasting and mutually acceptable solution, the Security Council decided to consider actively the options contained in my report of 19 February 2002 (S/2002/178). The present report covers developments since that date.

II. Activities of the Personal Envoy of the Secretary-General

2. During the reporting period, in anticipation of a decision by the Security Council concerning one of the options submitted for its consideration in my 19 February report (S/2002/178), my Personal Envoy, James A. Baker III, has had no direct contact with the parties. I expect that, subject to the proviso in paragraph 22 below, Mr. Baker will be prepared to resume his activities once the Security Council has taken a decision on how it wishes him to proceed with his efforts to assist in finding a solution to the dispute over Western Sahara.

III. Developments on the ground

3. My Special Representative, William L. Swing, has continued to maintain regular contacts with the parties. In Laayoune he has met regularly with the Coordinator of the Kingdom of Morocco with MINURSO, Governor Hamid Chabar. On 20 and 21 March 2002 my Special Representative, accompanied by the MINURSO Force Commander, visited the Tindouf area in Algeria, where they met with the Frente POLISARIO chief official dealing with defence issues, Mohammed Bouhali, and the Frente POLISARIO Coordinator with MINURSO, Emhamed Khaddad. During his visits to Algiers and Rabat on 31 March and 4 and 5 April, respectively, Mr. Swing met with senior Algerian and Moroccan officials. On 8 April he held talks in Nouakchott with the President of Mauritania, Maaouya Ould Sid' Ahmed Taya, and other senior Mauritanian officials. On 7 March my Special Representative visited Rabat, where he met individually with the Ambassadors of the five permanent members of the Security Council and the Ambassador of Spain.

A. Activities of the Identification Commission

4. During the reporting period, the Identification Commission continued its work in its offices in both Laayoune and Tindouf on the electronic archiving of the individual files of all persons who applied to be included in the list of voters for the referendum in Western Sahara. As at 15 April some 71,736 individual files out of a total of 244,643 had been processed.

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B. Military aspects

5. As at 15 April 2002 the military component of MINURSO stood at the authorized strength of 230 military personnel (see annex). Under the command of Brigadier General Claude Buze (Belgium), MINURSO continued to monitor the ceasefire between the Royal Moroccan Army and the Frente POLISARIO military forces, which has been in effect since 6 September 1991. There has been no indication on the ground that either side intends to resume hostilities in the near future.

6. During the first half of the reporting period, discussions continued between MINURSO and the Frente POLISARIO at various levels, with a view to lifting the restrictions imposed by the latter on the freedom of movement of United Nations military observers east of the defensive sandwall (berm) since January 2001. At a meeting on 21 March, the Frente POLISARIO informed my Special Representative of its decision to lift these restrictions. My Special Representative welcomed this positive development. MINURSO has been advised that the restrictions will be effectively lifted at the end of April, by which time members at all levels of the Frente POLISARIO chain of command will have been duly informed of the decision of their leadership. Accordingly, a coordination meeting between General Buze and the Frente POLISARIO military is scheduled to take place shortly, in order to ensure that the final arrangements for the full restoration of the freedom of movement of United Nations military observers east of the berm are in place.

7. On the western side of the berm, MINURSO military patrols continued to visit and inspect Royal Moroccan Army ground units larger than company size, in accordance with the ceasefire arrangements between MINURSO and the Royal Moroccan Army.

C. Civilian police aspects

8. As at 15 April the strength of the civilian police component of MINURSO stood at 25 officers (see annex) under the command of Inspector General Om Prakash Rathor (India). The officers continued to work around the clock to ensure the protection of sensitive files and materials at the Identification Commission centres at Laayoune and Tindouf.

D. Preparatory work for the repatriation of the Saharan refugees

9. During the reporting period my Special Representative visited the headquarters of several agencies working on humanitarian aspects of the Western Sahara conflict. On 28 February and 6 March he met with senior officials of the World Food Programme (WFP) and the European Commission Humanitarian Aid Office in Rome and Brussels, respectively, to discuss continuing food supply problems for the Western Saharan refugees in the Tindouf camps. On 5 and 31 March he met with representatives of the Office of the United Nations High Commissioner for Refugees (UNHCR) in Geneva and Tindouf, respectively, to discuss the overall humanitarian situation in the refugee camps and enquire about prospects for the implementation of cross-border confidence-building measures. I regret to inform the Council that, so far, there is no progress to report in regard to these measures due to a lack of consensus on the issue.

10. During the reporting period, UNHCR continued to carry out its mandated responsibilities for the Western Saharan refugees in the Tindouf camps and to coordinate with MINURSO. As a follow-up to the two workshops on international refugee law held in the Tindouf area in 2001, UNHCR organized another workshop in Algiers on 27 February 2002, in the presence of Algerian officials and refugee representatives, aimed at strengthening its protection capacity and establishing a more effective asylum framework in the host country. Two other workshops to achieve better coordination among the host country, key donors and humanitarian agencies took place in March 2002.

11. During the reporting period the food supply situation remained precarious because of continued difficulties in ensuring an adequate pipeline of balanced food for the refugees. The reduction of humanitarian assistance, in the absence of a durable solution to the question of Western Sahara, remained a major concern for the refugees and their leadership. Together with WFP, UNHCR coordinated a donor visit to the Tindouf camps on 10 and 11 April 2002. On 14 April WFP announced a two-year refugee aid project, estimated to cost $30 million, which could provide approximately 68,000 metric tons of aid to the refugees, pending approval by its Executive Board in

May. A donor briefing on Western Sahara is scheduled to take place at UNHCR headquarters in Geneva on 23 April.

E. Prisoners of war, persons unaccounted for and detainees

12. On 5 March my Special Representative met in Geneva with senior officials of the International Committee of the Red Cross (ICRC) to discuss the Moroccan prisoners of war and the fate of all those unaccounted for since the beginning of the conflict. At present, 1,362 prisoners of war continue to be detained by the Frente POLISARIO. Of these, some 916 have been detained for more than 20 years and are currently the longest-held prisoners of war in the world. At the meeting with my Special Representative in Geneva on 5 March, ICRC once again expressed its deep concern at the poor physical and mental health of the prisoners.

F. Organization of African Unity

13. During the reporting period the observer delegation of the Organization of African Unity to MINURSO, led by Ambassador Yilma Tadesse (Ethiopia), continued to provide valuable support and cooperation to the Mission. I wish to reiterate my sincere appreciation for this contribution.

IV. Other developments

14. On 27 February President Abdelaziz Bouteflika of Algeria visited the refugee camps in the Tindouf area, where he met with the Frente POLISARIO leadership and attended festivities marking the twenty-sixth anniversary of the "Sahrawi Arab Democratic Republic". This was the first reported visit to the refugee camps by an Algerian Head of State since the establishment of the camps in 1976. On 5 and 6 March King Mohammed VI of Morocco visited the towns of Dakhla and Laayoune in the Territory, accompanied by the Moroccan Cabinet. In Dakhla King Mohammed VI presided over a meeting of the Council of Ministers, the first time he had ever done so in the Territory. In a televised speech from Laayoune, the King announced the creation of a new agency for the social and economic development of the Territory. The Secretary-General of the Frente POLISARIO, Mohamed Abdelaziz, protested the King's visit in a letter dated 4 March addressed to the President of the Security Council.

15. In my last report I informed the Council that in late December 2001 Saharan detainees carried out a three-week hunger strike in a Laayoune prison, demanding better conditions. The hunger strike ended the following month, after the Moroccan authorities took a series of measures to address prison conditions.

V. Financial and logistical aspects

16. The General Assembly, by its resolution 55/262 of 14 June 2001, appropriated the amount of $48.8 million, equivalent to a monthly rate of some $4.1 million, for the maintenance of MINURSO for the period from 1 July 2001 to 30 June 2002. I shall continue to reassess the Mission's resource requirements in the light of the recent staff reductions and will revert to the General Assembly with consequential adjustments, if necessary.

17. As at 31 March 2002 unpaid assessed contributions to the special account for MINURSO amounted to $56,558,258. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to $1,423,008,273.

18. MINURSO's logistical infrastructure remains generally adequate, but some of the equipment is old, either approaching or beyond its expected life span. Evolving logistical requirements have already led the Mission to install three communication ground stations at military observer team sites, upgrade some information technology equipment and accommodation at various locations in the Mission area, and improve security conditions at headquarters in Laayoune. However, additional upgrades are required. Pending a decision by the Security Council concerning the extension of MINURSO's mandate, a technical assistance team from New York Headquarters is scheduled to visit the Mission in the near future to assess its logistical needs.

VI. Observations and recommendations

19. The humanitarian aspects of the overall situation affecting the question of Western Sahara remain a

source of great concern. The detention of 1,362 prisoners of war continues to be one of the most pressing humanitarian issues. As the Council is aware, I have already asked my Special Representative to assist ICRC in the discharge of its critical tasks. It is my earnest hope that members of the Council will join me once again in urging the Frente POLISARIO to release all remaining prisoners of war without further delay. I also hope that both parties will continue to cooperate with the efforts of ICRC to solve the problem of the fate of all those unaccounted for since the beginning of the conflict.

20. Given the current low levels of food supply in the refugee camps in the Tindouf area, I am also urging the international community to extend its financial support to enable UNHCR and WFP to meet the humanitarian needs of the refugees. As indicated in paragraph 9 above, my Special Representative has been in close contact with UNHCR and WFP to support efforts to address this problem. As the same time, I expect Morocco and the Frente POLISARIO to cooperate without further delay with UNHCR in the implementation of the long overdue confidence-building measures, as repeatedly called for by the Security Council since 1999. The plight of the separated refugee families demands no less.

21. It is my hope that the Security Council will decide by the end of the current mandate period how it wishes to proceed with regard to the future of the peace process in Western Sahara and that it will take action, as appropriate on the mandate of MINURSO. I believe that by choosing the option that it considers most likely to help resolve the conflict, the Council will indicate to the parties its determination to continue to look actively for a realistic solution to the conflict that will also contribute to long-term peace, stability and prosperity in the Maghreb region.

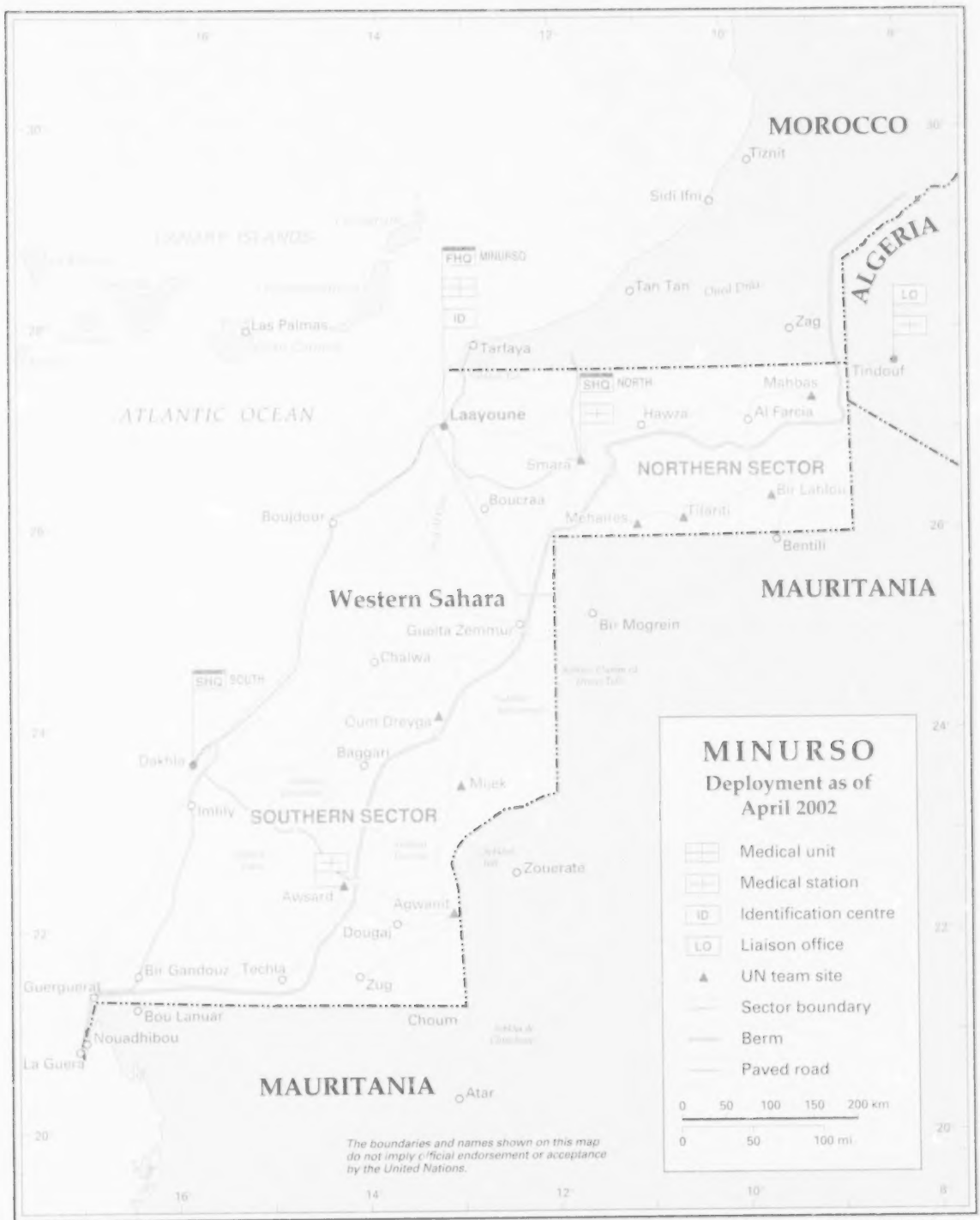
22. My Personal Envoy stands ready to undertake the activities that will be required under the option the Security Council chooses, in order to steer the parties towards a resolution of their dispute over Western Sahara, provided that the Council does not support any changes to options one, two or three that would require the concurrence of the parties. Such changes, as my Personal Envoy told the Council on 27 February 2002, would simply encourage a continuation of the conflict and the current stalemate. As always, I intend to lend all my support to my Personal Envoy in his difficult task.

Annex

United Nations Mission for the Referendum in Western Sahara: contributions as at 15 April 2002

	Military observers	*Force commander*	*Troops*	*Civilian police**	*Total*
Argentina	1				1
Austria	3				3
Bangladesh	9				9
Belgium		1			1
China	16				16
Egypt	19				19
El Salvador	4				4
France	25				25
Ghana	8		7	3	18
Greece	1				1
Guinea	3				3
Honduras	12				12
Hungary	6				6
Ireland	3				3
India				2	2
Italy	5				5
Jordan				5	5
Kenya	9				9
Malaysia	13				13
Nigeria	6			3	9
Norway				2	2
Pakistan	6			2	8
Poland	5				5
Portugal	4			4	8
Republic of Korea			20		20
Russian Federation	25				25
Senegal				3	3
Sweden				1	1
Uruguay	13				13
United States of America	7				7
Total	**203**	**1**	**27**	**25**	**256**

* Authorized strength is 81.



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